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Patent Department
6600 Sears Tower
233 South Wacker Drive
Chicago, IL 60606

EXAMINER

NGUYEN, ALLEN H

ART UNIT	PAPER NUMBER
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2625

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/702,321

Applicant(s)

HIRTENREITER ET AL.

Examiner

Allen H. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19, 21 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19, 21 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/02/2009 has been entered. Currently, claims 1-19, 21-22 are pending.

Response to Arguments

2. Applicant's arguments filed 03/02/2009 have been fully considered but they are not persuasive.
3. With respect to applicants' argument that "Kloosterman, however, cannot anticipate the claim language for the following reasons. The content objects 18 does not contain static resource data which remains the same from document to document within the print job as recited".

In reply: Kloosterman '726 does not explicitly show said variable data being data which changes from document to document within the print job while the static resource data remains the same from document to document within the print job.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Dang '231. In particular, Dang '231 teaches said variable data being data which changes from document to document within the print job (i.e., dynamic figure in image presentation format zone 30: wherein the figure images vary with every document and are presented in image presentation formats such as TIF or JPEG. For examples: personal signature, personal fingerprints, variable charts, graphs, drawings, diagrams, pictures, and dynamic text which original image must be preserved; see col. 4, lines 15-20 and lines 30-35, fig. 3) while the static resource data remains the same from document to document within the print job (i.e., static figure in image presentation format zone 29: wherein the figure images are unchanged with every document of the same type and are presented in image presentation formats such as TIF or JPEG. For examples: company logos, graphic art designs, charts, diagrams, graphs, drawings, pictures, and static text which original image must be preserved; see col. 4, lines 10-15 and lines 22-28, fig. 3).

In view of the above, having the system of Kloosterman and then given the well-established teaching of Dang, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Kloosterman as taught by Dang to include: said variable data being data which changes from document to document within the print job while the static resource data remains the same from document to document within the print job, since Dang stated in col. 8, lines 45-50 that such a modification would

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ensure providing additional security measure due to the fact that the intruders have no templates and static data to reconstruct the complete documents.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-14, 15-18, 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kloosterman et al. (US 2003/0189726) in view of Dang (US 7,007,231).

Regarding claim 21, Kloosterman '726 discloses a system (2, figs. 1a-1b) for generating a document template of a document for a print job (i.e., the printing device intended to render the variable printing job to create a set of templates; see Abstract), comprising:

a computerized generation unit (VDP Composition 12, fig. 1a) in which the document template which is a general layout of the document is generated using static resource data (i.e., the VDP authoring application looks at one record at a time from the recipient database 16, and generates a single Instance Document by using the template containing static and variable images, graphics and text; see page 4, paragraph [0039]) which comprises unchanging elements of the

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document for the document template (a conventional static print job using non-variable data, page 1, paragraph [0005]), whereby the static resource data are combined into addressable resource datasets (i.e., the graphical artist creates a template consisting of static images, graphics and text as well as variable images, graphics and text in VDP composition 12. The variable parts of the layout will have an associated set of rules that describe the procedures necessary to create each Instance Document; Page 4, paragraph [0033]; and digital printing systems employing variable data combined with static data, page 1, paragraph [0004]);

a computerized resource administration unit (Content Objects 18, fig. 1a) that generates a resource list in which the resource data sets used by the document template are listed (i.e., a process wherein data from the recipient database 16, is combined with static content data that is contained in content objects 18 to produce the merged instance document; Page 3, paragraph [0032]);

the resource administration unit (The Content Objects 18, fig. 1a), by using the resource list, controls a transfer of the used resource data sets to a computerized data processing device where they are stored (i.e., the directions to the NexStation 4 describing how to print each VDP Family are contained in a data structure called a job ticket; Page 8, paragraph [0094]), and the resource administration unit also transferring the document template to the data processing device where it is stored (Print 36, fig. 1a);

said data processing device controlling a printing of the document for the

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print job with a printer by using the locally stored template and resourced datasets supplemented with variable data (i.e., variable print data is sent to a RIP where code for text elements and graphic elements are processed into a raster data format that can be utilized by the marking engine of a digital printer; see page 3, paragraph [0030], figs. 1a-1b).

Kloosterman '726 does not explicitly show said variable data being data which changes from document to document within the print job while the static resource data remains the same from document to document within the print job.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Dang '231. In particular, Dang '231 teaches said variable data being data which changes from document to document within the print job (i.e., dynamic figure in image presentation format zone 30: wherein the figure images vary with every document and are presented in image presentation formats such as TIF or JPEG. For examples: personal signature, personal fingerprints, variable charts, graphs, drawings, diagrams, pictures, and dynamic text which original image must be preserved; see col. 4, lines 15-20 and lines 30-35, fig. 3) while the static resource data remains the same from document to document within the print job (i.e., static figure in image presentation format zone 29: wherein the figure images are unchanged with every document of the same type and are presented in image presentation formats such as TIF or JPEG. For examples: company logos, graphic art designs, charts, diagrams, graphs, drawings, pictures, and static text which original image must be preserved; see col. 4, lines 10-15 and lines 22-28, fig. 3).

In view of the above, having the system of Kloosterman and then given the well-established teaching of Dang, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Kloosterman as taught by Dang to include: said variable data being data which changes from document to document within the print job while the static resource data remains the same from document to document within the print job, since Dang stated in col. 8, lines 45-50 that such a modification would ensure providing additional security measure due to the fact that the intruders have no templates and static data to reconstruct the complete documents.

Regarding claim 22, Kloosterman '726 discloses the system wherein the generation unit (The VDP authoring application 12, fig. 1a) and the resource administration unit (Content Objects 18, fig. 1a) are formed via computer programs (i.e., Authoring 10 is typically performed by the graphic designer who adds variable content to static content using a utility within VDP composition 12, to add variable content to traditional static designs produced by applications such as Quark and In Design; Page 3, paragraph [0031]) that are installed on a common PC (i.e., the system software of the preferred embodiment supports pre-imposed views of PPML/VDX files within the network environment of the application. The system software also supports pre-imposed and imposed sheet views of PPML/VDX files within an accessible NexStation 4 environment. It is noted that The NexStation in three versions serves as the brains behind the power of the NexPress 2100. They are the NexPress Basic, the NexPress Plus

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and the NexPress Pro. Each is Windows 2000 based and is easily integrated into a Mac or PC network environment; Page 5, paragraph [0046]).

Regarding claim 1, claim 1 is the method claim of device claim 21. Therefore, method claim 1 is rejected for the reason given in device claim 21.

Regarding claim 2, Kloosterman '726 discloses the method wherein the static resource data concern at least one of the following objects: fonts, forms, tables, standard texts, graphic elements, layout specifications for print pages and specifications for positioning of print pages on a recording medium (i.e., the graphical artist creates a template consisting of static images, graphics and text as well as variable images, graphics and text in VDP composition 12. The variable parts of the layout will have an associated set of rules that describe the procedures necessary to create each Instance Document; Page 4, paragraph [0033] and Page 3, paragraph [0031]).

Regarding claim 3, Kloosterman '726 discloses the method wherein the transfer of the resource data sets is controlled by the resource administration unit (i.e., one Instance Document for each record in the recipient database 16, plus all of the images, graphics, and text objects which usually come from a Content Database 18; Page 4, paragraph [0039]).

Regarding claim 4, Kloosterman '726 discloses the method wherein the resource data sets are formed via resource files (i.e., a Static Imposition Template is selected and items are mapped within the categories to attributes of the printing device; Page 3, paragraph [0019]).

Regarding claim 5, Kloosterman '726 discloses the method wherein at least one data index (i.e., the product intent information) is arranged by the resource administration unit (16, fig. 1a) for storage of the used resource files (i.e., the prepress workflow application will draw upon the all of the product intent information including the metadata that is stored in the PPML/VDX job 16 as enunciated by the graphics artist using NexTreme to identify the optimal job ticket specification for printing the job; Page 3, paragraph [0031]).

Regarding claim 6, Kloosterman '726 discloses the method wherein a community index (Create VDP Families 150, fig. 3) is arranged by the resource administration unit for resource files that are used in common by a plurality of document templates (i.e., a VDX file having a PPML portion that describes one Instance Document for each record in the recipient database 16, plus all of the images, graphics, and text objects which usually come from a Content Database; Page 4, paragraph [0039]).

Regarding claim 7, Kloosterman '726 discloses the method wherein for each used resource file that (Begin Create Derivative Job 351, fig. 5), for its part,

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accesses at least one subordinate resource file (Select VDP Sub-Job Parameters 341, fig. 5), a resource part list is generated in which a minimum of one subordinate resource file is listed (i.e., the system software provides the capability of creating new VDP Jobs as subsets of a larger Variable Data Printing Job in those instances where the operator finds it desirable for a print job to be produced as a group of separate, smaller VDP Jobs; Page 8, paragraph [0098]).

Regarding claim 8, Kloosterman '726 discloses the method wherein the resource part list is stored in a same index in which a cited resource file is located (i.e., a VDP Family is a group of Instance Documents having identical values for the set of variant parameters chosen by the prepress operator within a VDP Job; Page 6, paragraph [0053]).

Regarding claim 9, Kloosterman '726 discloses the method wherein the resource part lists are generated by the generation unit (i.e., Authoring 10 is typically performed by the graphic designer who adds variable content to static content using a utility within VDP composition 12, to add variable content to traditional static designs produced by applications; Page 3, paragraph [0031], fig. 1a).

Regarding claim 10, Kloosterman '726 discloses the method wherein such resource files that are accessed by no superordinate resource file are characterized as a main resource (i.e., the variable data comes from data in

recipient databases 16 that characterize the targeted audience; Page 3, paragraph [0032]), and their resource part lists are stored for resource administration unit such that they can be found (i.e., one Instance Document for each record in the recipient database 16, plus all of the images, graphics, and text objects which usually come from a Content Database 18; Page 4, paragraph [0039]).

Regarding claim 11, Kloosterman '726 discloses the method wherein to generate the resource list, the various resource files are recursively determined starting from the main resources (i.e., during the merge process, the VDP authoring application looks at one record at a time from the recipient database 16, and generates a single Instance Document by using the template containing static and variable images, graphics and text; Page 4, paragraph [0039]), in that for each determined resource file the resource files subordinate to it are determined with aid of a corresponding resource part list (i.e., a process wherein data from the recipient database 16, is combined with static content data that is contained in content objects 18 to produce the merged PPML/VDX instance document; Page 3, paragraph [0032]).

Regarding claim 12, Kloosterman '726 discloses the method wherein it is noted in the resource list whether a listed resource file accesses at least one subordinate resource file (i.e., the result after merge 14 is a VDX file having a PPML portion that describes one Instance Document for each record in the

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recipient database 16, plus all of the images, graphics, and text objects which usually come from a Content Database; Page 4, paragraph [0039]).

Regarding claim 13, Kloosterman '726 discloses the method wherein at least one of storage addresses and paths to the listed resource files are listed in the resource list (i.e., the VDP preprocess 20 displays in a clearly formatted text box for each Family, the number of Instance Documents it contains and the parameter value of each variant; Page 6, paragraph [0054]).

Regarding claim 14, Kloosterman '726 discloses the method wherein in the resource list resource files that are storage area administered by the resource administration unit are characterized as external (i.e., it is specifically envisioned that in other implementations that allow for a multi-file submission, the PPML may refer to PDF object in an external file; Page 12, paragraph [0132]).

Regarding claim 15, Kloosterman '726 discloses the method wherein for a framework of the transfer of the resource files to the data processing device (i.e., the system software moves the selected PPML/VDX file to the input queue of the selected NexStation 4 or other printing device; see page 12, paragraph [0134]).

It is noted that Kloosterman '726 does not explicitly show it is automatically checked by the resource administration unit whether all resource files of the corresponding resource list not characterized as external are actually present, and if necessary absence of such resource file is displayed.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Dang '231. In particular, Dang '231 teaches it is automatically checked by the resource administration unit whether all resource files of the corresponding resource list not characterized as external are actually present, and if necessary absence of such resource file is displayed (i.e., To automatically identify the document indexing attributes, each parsing engine further comprises a program to map out the document indexing attribute zones following the indexing template, the presentation of each document indexing attribute zone is parsed into text in text format and is stored as the document indexing attribute data in the indexing file; see col. 6, lines 8-15 and lines 60-65, fig. 1).

In view of the above, having the system of Kloosterman and then given the well-established teaching of Dang, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Kloosterman as taught by Dang to include: it is automatically checked by the resource administration unit whether all resource files of the corresponding resource list not characterized as external are actually present, and if necessary absence of such resource file is displayed, since Dang stated in col. 1, lines 65-67 that such a modification would be advantageous to convert the static zones to image format such as TIF file that is most suitable for viewing only and the dynamic zones to text format.

Regarding claim 16, Kloosterman '726 discloses the method wherein the resource administration unit (Content Objects 18, fig. 1a) is called via a superordinate computer program (PPML/VDX, fig. 2) for at least one of to provide resource data sets (i.e., a VDX file having a PPML portion that describes one Instance Document for each record in the recipient database 16, plus all of the images, graphics, and text objects which usually come from a Content Database; Page 4, paragraph [0039]) and to transfer them to the data processing device (i.e., the system software moves the selected PPML/VDX file to the input queue of the selected NexStation 4 or other printing device; Page 12, paragraph [0134]).

Regarding claim 17, Kloosterman '726 discloses the method wherein the superordinate program is formed via a printer driver (i.e., the system supports and integrates a NexStation 4 print driver as well as a GUI 6 to launch and support a NexStation 4 print driver; Page 12, paragraph [0134]).

Regarding claim 18, Kloosterman '726 discloses the method wherein the resource data sets are provided with at least one of a version identification (Viewing a strictly PDF version of the content, page 5, paragraph [0046]) and a generation datum (i.e., standard Acrobat bookmarks for identifying Instance Documents within Instance Documents; Page 5, paragraph [0046]), and the resource datasets are at least one of provided and transferred to the data processing device (i.e., creating templates to be used in variable data printing

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wherein a file is provided to a printing device containing parameters relative to a print job from which a plurality of categories are formed from parameters within the file; Page 3, paragraph [0019] by the resource administration unit (Content objects 18, fig. 1A) according to at least one of their version identification and their generation datum (i.e., a process wherein data from the recipient database 16, is combined with static content data that is contained in content objects 18 to produce the merged PPML/VDX instance document; see page 3, paragraph [0032]).

6. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kloosterman et al. (US 2003/0189726) in view of Ohta (US 7,130,068).

Regarding claim 19, the combination of Kloosterman '726 and Dang '231 does not explicitly show the method wherein the data processing device comprises a print server.

However, the above-mentioned claimed limitation is well known in the art as evidenced by Ohta '068. In particular, Ohta '068 teaches wherein the data processing device comprises a print server (i.e., a server 101 is connected by a network cable to the network 106. The server 101 of the present embodiment is provided with a function of storing print job information from the client computers 102, 103, 104 as a summary file; Col. 4, lines 9-12).

In view of the above, having the system of Kloosterman and Dang and then given the well-established teaching of Ohta, it would have been obvious to

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one having ordinary skill in the art at the time of the invention was made to modify the system of Kloosterman and Dang as taught by Ohta to include: the method wherein the data processing device comprises a print server, since Ohta stated in col. 1, lines 25-30 that such a modification would ensure there is often set a print server on the network, utilizing the operating system thereof. In such print job reservation system utilizing such print server, the printing operation is executed by transferring the print data from a client to the print server, reserving such print data in a specified area of the print server, at the same time managing, by the print server, the order of printing in the network printer designated as the output destination of the print data, and reading and transmitting the reserved print data to the network printer when the order of printing is reached.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Davidson et al. (US 7,415,669) discloses static maps may be stored in the databases which map tagged fields from one document type to another document type.

Kofman et al. (US 7,379,203) discloses data capture during print process.

Walker (US 7,315,979) discloses method and system for dynamic flowing data to an arbitrary path defined by a page description language.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen H. Nguyen whose telephone number is (571)270-1229. The examiner can normally be reached on 9:00 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KING Y. POON can be reached on (571) 272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/King Y. Poon/
Supervisory Patent Examiner, Art Unit 2625

/Allen H. Nguyen/
Examiner, Art Unit 2625